

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AIU INSURANCE COMPANY, :

Plaintiff, :

-v. - :

Civil Action No. 07 Civ. 7052 (SHS)(HBP)

TIG INSURANCE COMPANY, :

Defendant. :

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/28/12

JOINT STIPULATION AND ORDER

The parties, AIU Insurance Company ("AIU") and TIG Insurance Company ("TIG"), by and through their undersigned counsel, hereby jointly stipulate to the following:

WHEREAS by notices of motion dated April 29, 2011, AIU filed its Motion for Partial Summary Judgment and TIG filed its Renewed Motion for Summary Judgment in the above referenced matter pursuant to Federal Rules of Civil Procedure ("Fed. R. Civ. P.") 56(c) and (d); and

WHEREAS on June 3, 2011, AIU and TIG each filed and served papers in opposition to the other party's motion; and

WHEREAS on June 24, 2011, AIU and TIG each filed and served reply papers in further support of its motion; and

WHEREAS on August 16, 2012, United States Magistrate Judge Henry Pitman issued a Report and Recommendation concerning the motions; and

WHEREAS the Report and Recommendation provides that the parties shall have until August 30, 2012, being fourteen (14) days from the date of service of the Report and

Recommendation, to serve and file written objections, in accordance with Fed R. Civ. P. 72 (b)(2) and Fed. R. Civ. P. 6(a) and 6(d); and

WHEREAS, the Report and Recommendation permits the parties to seek adjournments from Judge Stein prior to this date; and

WHEREAS the parties agree to extend the briefing deadlines for objections and responses thereto as set forth below, now therefore

IT IS HEREBY STIPULATED AND AGREED THAT:

1. Objections by either party to the Report and Recommendation shall be served and filed on or before September 18, 2012;
2. Responses to such objections by either party shall be served and filed on or before October 16, 2012;
3. AIU reserves its right to seek the Court's consideration and review of a reply submission;
4. TIG reserves its right to oppose such a reply submission; and it is further

STIPULATED AND AGREED, that this Stipulation may be executed in counterparts and that a facsimile of this Stipulation shall be deemed an original for all purposes.

Dated: August 21, 2012

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and

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SO ORDERED: 8/27/12

SIDNEY H. STEIN
UNITED STATES DISTRICT COURT JUDGE